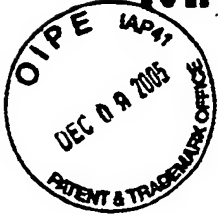


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: PATEL, Arvind D.

Serial No.: 10/647830

Confirmation No.: 2956

Filed: 08/25/2003

For: SHALE HYDRATION INHIBITION AGENT AND  
METHOD OF USE

Group Art Unit: 1712

Examiner: RICHARD, Charles R.

450

Atty. Dkt. No.: PA-00412US  
(11836.0750.NPUS00)

**RESPONSE TO NON-FINAL OFFICE ACTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

CERTIFICATE OF FACSIMILIE TRANSMITTAL

DATE OF TRANSMISSION \_\_\_\_\_  
I hereby certify that this paper or fee is being transmitted to the United States Patent  
and Trademark Office 703 872 9306 on the date indicated above.

Signature

**INTRODUCTORY COMMENTS:**

The following is in response to the Non-Final Office Action mailed 07/27/2005, for which the three-month date for response is 10/25/2005.

Applicants hereby request a two-month extension of time pursuant to 37 C.F.R. 1.136(a). The Commissioner is authorized to deduct the required two-month extension of time fee or any other necessary fees, from Deposit Account No. 13-3082, Order No. PA-00412US.

**RESTRICTION REQUIREMENT - CONFIRMATION OF ELECTION:**

Applicants hereby confirm the oral election of Group I (Claims 1-22 and 31-34) without traverse.

the patent granted to Arvind D. Patel et al. and assigned and owned by the Assignee and owner of the present application. Thus the enclosed Terminal Disclaimer has been prepared and submitted referencing USP 6831043.

Applicants request that the Examiner reconsider and withdraw the above rejection of the claims in view of Terminal Disclaimer (FORM PTO/SB/26) filed with this paper.

Claims 1, 4, 6-8, 11, 13-14, 21-22, 31 and 34 have been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable given US Application No. 11/008008 of Arvind D. Patel et al. assigned and owned by the Assignee and owner of the present application.

Applicants request that the Examiner reconsider and withdraw the above rejection of the claims in view of Terminal Disclaimer (FORM PTO/SB/25) filed with this paper.

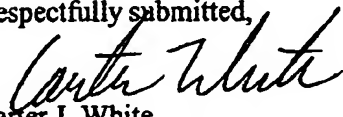
Given the above, Applicants request that the rejection of the claims be reconsidered and withdrawn and that the Examiner indicate the allowance of the claims in the next paper from the Office.

\*\*\*\*\*

The undersigned representative authorizes the Commissioner to charge any additional fees under 37 C.F.R. 1.16 or 1.17 that may be required, or credit any overpayment, to Deposit Account No. 13-3082, Order No. PA-00412US.

In order to facilitate the resolution of any issues or questions presented by this paper, the Examiner should directly contact the undersigned by phone to further the discussion.

Respectfully submitted,

  
Carter J. White  
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Reg. No. 41374  
Tel. 281 561 1450  
Date: 12/4/05